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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/591,019

08/28/2006

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7590

05/13/2009

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EXAMINER

PAK, SUNG H

ART UNIT

PAPER NUMBER

2874

MAIL DATE

DELIVERY MODE

05/13/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/591,019	Applicant(s) BEEREN, RUDOLF JOZEF MARIE	
	Examiner SUNG H. PAK	Art Unit 2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 8 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,9 and 10 is/are rejected.
- 7) ☒ Claim(s) 6,7 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's amendment filed 2/03/2009 has been entered. All pending claims have been carefully reconsidered in view of the amendment.

Claims 3 and 8 are now rewritten in independent forms including the allowable subject matters discussed in the previous office action. In view of this amendment, claims 3 and 8 are allowed.

Applicant's arguments for patentability of other pending claims have been carefully studied by the examiner, however they are not persuasive.

On page 6 of the applicant's response, it is argued that Chang does not disclose a transflector having sub-pixels having "mutually different light absorption ratios, wherein the different light absorption ratios are independent of the color filter" (page 6, paragraph 1-emphasis added).

The examiner respectfully submits that the pending claim merely recites a transflector having sub-pixels "wherein sub-pixel portions corresponding to different colors have mutually different light absorption ratios", and that nowhere in the claim does it recite that the absorption ratios are "independent of the color filter" as argued by the applicant.

In Chang, paragraph [0016] (as indicated in the previous office action) fully discloses the transflector having sub-pixels wherein sub-pixel portions corresponding to different colors have mutually different light absorption ratios, as claimed by the present application. Specifically,

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paragraph [0016] (in reference to Fig. 1) states that the semi-reflective layer 21 forms the transmission and reflection layer for the illumination light (i.e. “transflector”). The surface of the semi-reflective layer that is in contact with color filter elements transmits or reflects illumination light with differing light transmission characteristics (i.e. light absorption ratios) as indicated by paragraphs [0008], [0016], [0019], and [0023]. Although the transmission and reflection characteristics of the semi-reflective layer in different sub-pixel regions may be due, in part, to the characteristics of the color filter elements, there is nothing in the pending claim that precludes such disclosure from anticipating the claimed limitations, as they are currently recited in the present application. Since all the claimed limitations are fully disclosed by Chang as indicated in the previous office action, the ground of claim rejection is maintained by the examiner and this office action is made final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-5, 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang et al. (US 2003/0184694 A1).

Chang discloses a transfective liquid crystal display comprising a plurality of pixels each comprising sub-pixels corresponding to different colors (paragraph 0016); a color filter that is

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patterned in correspondence with said sub-pixels ('200' Fig. 1; paragraph 0016); a transflector having sub-pixel portions aligned with corresponding sub-pixels of the display (paragraph 0016) and comprising light absorbing means wherein sub-pixel portions corresponding to different colors have mutually different light absorption ratios (paragraph 0008, 0016, 0019, 0023);

further comprising a black matrix ('29') that separates the sub-pixels from each other (paragraph 0023);

wherein an area ratio between transmissive and reflective portions of the transflector is different between sub-pixels of different colors (paragraph 0023);

wherein the color filter is arranged such that it coincides with parts of the reflective portions of the transflector (Fig. 1-2).

Allowable Subject Matter

Claims 3 and 8 are allowed.

These claims are rewritten in independent forms including the allowable subject matter discussed in the previous office action.

Claims 6-7, 11 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: as discussed above, a transflective liquid crystal display device having absorbing means such that different color sub-pixels have mutually different light absorbing ratios, is known in the art.

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However, none of the prior art fairly teaches or suggests a transfective liquid crystal display device having color filter associated with transmissive portions of the translector having a stronger color filtering effect than second portions of the color filter associated with reflective portions of the translector as claimed in claim 6 of the present application.

Also, none of the prior art fairly teaches or suggests a translector in a transfective liquid crystal display device where the sub-pixels of the translector have mutually different light absorption ratios independent of the color filters, in the manner claimed in the present application.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNG H. PAK whose telephone number is (571)272-2353. The examiner can normally be reached on Monday- Friday, 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Uyen-Chau Le can be reached on (571)272-2397. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sung H. Pak/

Primary Examiner, Art Unit 2874